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Non-Profit Law and Consulting in Conservation of Natural Resources and the Global Environment

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To reviewers of NHI's proposal for an **Environmentally Optimal Alternative** for the CALFED Bay-Delta program:

Attached is the latest iteration, dated **August 28, 1996**. Previous drafts were prepared in some haste and without the advantage of external review, due to the time constraints associated with the CalFed scoping process. Comments received have substantially improved the attached version, in the following respects:

- ▶ This version makes clear the areal extent and character of the proposed habitat restoration. The approximately 350,000 acres of the historic delta (i.e., those lands subject to tidal influence) are regarded as the planning area within which CalFed should evaluate the maximum extent of habitat restoration that is technically and economically feasible. Habitat types to be investigated should emphasize tidal marsh, but also include managed wetlands, terrestrial, riparian and aquatic habitats. Since not the entire planning area will prove feasible to restore, we envision these habitat expansions co-existing with a mixed mosaic of delta land uses that also includes agriculture, waterfowl forage crops, water storage, deepwater recreation, urban development, and utility corridors. The extent of restoration that will prove practicable will probably be defined by considerations of relative vulnerability of levees to seismic failure, relative practicality of filling subsided islands in terms of time and costs, and the willingness of landowners to sell lands at prices that would be economically justified.
- ▶ This version avoids a recommendation as to the delta transfer facilities that may prove to be most conducive to maximal habitat restoration. That is a decision best made after the appropriate engineering, hydrologic, ecologic and economic evaluations have been made by CalFed. The proposed alternative can help define and scope those technical studies, however.
- ▶ This version makes even clearer that the proposal is predicated upon voluntary, compensated transfers of farmlands to a restoration authority. Indeed, the objective is to create better options for the current landowners, and in concert with them, as well as to improve environmental and water supply benefits.

This proposal is very much a work in progress. Future iterations will be informed by comments and suggestions received from all sectors, with a view toward producing a final version that is widely subscribed to by the stakeholders and governmental agencies involved in the CalFed process.